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DEC 14 2007

In re Application of : **OFFICE OF PETITIONS**
Joseph L. Witztum et al :
Application No. 10/706,659 : DECISION ON PETITION
Filed: November 12, 2003 :
Attorney Docket No. 1034123- :
000014/SD 2000-045-3 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 18, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed October 16, 2006, which set a shortened statutory period for reply of three (3) months. A Notice of Abandonment was mailed on May 2, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of a request for continued examination, \$395 filing fee (received April 19, 2007, and submission as required by 37 CFR 1.114, (2) the petition fee of \$750, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply to the final Office action of October 16, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU 1641 for processing the request for continued examination filed April 19, 2007 and for appropriate action in the normal course of business on the submission under 37 CFR 1.114 received with the petition on June 18, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.


Frances Hicks
Petitions Examiner
Office of Petitions